

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LENAWEE COUNTY
DRAIN COMMISSIONER,

Plaintiff,

vs.

Case No. 07-CV-14290
HON. GEORGE CARAM STEEH

ENVIRONMENT ONE CORPORATION,

Defendant.

_____ /

ORDER

Plaintiff Lenawee County Drain Commissioner filed this products liability lawsuit against Environment One Corporation arising out of the design and manufacture of grinder pump stations. Federal jurisdiction is premised upon diversity jurisdiction. 28 U.S.C. § 1332. Complete diversity of citizenship is required under § 1332. See Owen Equip. & Erection Co. v. Kroger, 437 U.S. 365, 373 (1978) (recognizing that "diversity jurisdiction does not exist unless each defendant is a citizen of a different State from each plaintiff"). For purposes of diversity jurisdiction, a corporation is deemed to be a citizen of the state by which it has been incorporated, and the state where it has its principal place of business. See 28 U.S.C. § 1332(c)(1). On January 24, 2008, this court ordered plaintiff to show cause why the case should not be dismissed for plaintiff's failure to plead defendant's principal place of business in its amended complaint. Plaintiff has responded that the case should be remanded to state court, where it was initially filed, because it does not know defendant's principal place of business.

Defendant, however, has shown that it properly removed this case based on diversity of citizenship because it is a New York corporation with its principal place of business in New York. Accordingly, diversity jurisdiction exists and this case will not be closed.

SO ORDERED.

Dated: February 13, 2008

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on February 13, 2008, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk